

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
January 28, 2009**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:08 A.M. on January 28, 2009 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia

BOARD MEMBERS

PRESENT:

Lynne M. Cooper, Citizen Member, President
Florence Jones-Clarke, R.N., M.S., Vice President
Brenda L. Hale, R.N., Secretary
Peregrin Francisco, R.N., M.S.A
Joyce A. Hahn, Ph.D.; APRN; NEA-BC
John M. Horn, L.P.N.
Evelyn Lindsay, L.P.N.
Judith E. Piersall, R.N., B.S.N.
G. Maxine Ponn, L.P.N.
Patricia M. Selig, R.N., F.N.P., Ph.D.

BOARD MEMBERS

ABSENT:

Patricia C. Lane, R.N., B.S.N.
Lawrence L. Logan, Citizen Member

STAFF PRESENT:

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director
Jodi P. Power, R.N., J.D., Deputy Executive Director
Paula B. Saxby, R.N., Ph.D., Deputy Executive Director (joined later)
Jessica Ressler, R.N., Nursing Education Consultant (joined later)
Linda Kleiner, R.N., Discipline Case Manager
Ann Tiller, Compliance Manager
Amy Davis, Administrative Assistant

OTHERS PRESENT:

Howard M. Casway, Senior Assistant Attorney General
Ishneila Moore, Assistant Attorney General (joined later)

ESTABLISHMENT OF

A QUORUM:

With ten members of the Board present, a quorum was established.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Myra L. Anthony, C.N.A. 1401-089833
Ms. Anthony did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right of Myra Anthony to renew her certificate with a finding of abuse.

The motion was seconded and carried unanimously.

Elsie Awantoh, C.N.A Applicant

Ms. Awantoh did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to approve the application of Elsie Awantoh for certification by examination as a nurse aide and that she be issued an unrestricted certificate to practice upon successful completion of the exam.

The motion was seconded and carried unanimously.

Kimberly L. Henderson, R.N. 0001-198089

Ms. Henderson did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Kimberly Henderson.

The motion was seconded and carried unanimously.

Marlene Meador, C.N.A. Applicant

Ms. Meador did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to approve the application of Marlene Meador for certification by examination as a nurse aide and that she be issued an unrestricted certificate to practice upon successful completion of the exam.

The motion was seconded and carried unanimously.

Sarah A. Oulds, C.N.A. 1401-122607

Ms. Oulds did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Sarah Oulds with a finding of misappropriation of patient property.

The motion was seconded and carried unanimously.

Kayode Sadiku, L.P.N. (Maryland license PN LP 40913)

Mr. Sadiku did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Kayode Sadiku.

The motion was seconded and carried unanimously.

Catherine M. Wade, C.N.A. 1401-097520

Ms. Wade did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Catherine Wade.

The motion was seconded and carried unanimously.

Claudia Wray, C.N.A. 1401-017421

Ms. Wray did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Claudia Wray.

The motion was seconded and carried unanimously.

Elizabeth Bauman, L.P.N. 0002-054536

Ms. Barman did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Elizabeth Bauman, and, stay said suspension contingent upon Ms. Bauman's entry into and compliance with a recovery monitoring contract with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

Jacqueline Sawyer, R.N. 0001-174504

Ms. Sawyer did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Jacqueline Sawyer contingent upon her continued compliance with her recovery monitoring contract with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

Melody Morgan, L.P.N. 0002-074944

Ms. Morgan did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Melody Morgan with said suspension stayed contingent upon Ms. Morgan's reentry into a recovery monitoring contract with the Health Practitioners Intervention Program and remaining in compliance with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

Melissa Grant, R.N. 0001-124248

Ms. Grant did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Melissa Grant for not less than two years, until such time as she can provide sufficient evidence that she is safe and competent to practice nursing.

The motion was seconded and carried unanimously.

Katherine Kyle, R.N. 0001-192859

Ms. Kyle did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Katherine Kyle with said suspension be stayed contingent upon Ms. Kyle's reentry into a Health Practitioners Intervention Program recovery monitoring contract and demonstrating six months of compliance. Thereafter, Ms. Kyle shall remain in compliance with the Health Practitioners Intervention Program.
The motion was seconded and carried unanimously.

Caren Bonilla, L.P.N. 0002-068283

Ms. Bonilla did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Caren Bonilla for a period of not less than two years and until such time as she can appear before the Board and show that she is safe and competent to resume practice as a practical nurse.

The motion was seconded and carried unanimously.

Valerie Wilson, L.P.N. 0002-057407

Ms. Wilson did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Valerie Wilson until such time as she can provide sufficient evidence that she is safe and competent to practice nursing.

The motion was seconded and carried unanimously.

Verna Jordan, C.N.A. 1401-118735

Ms. Jordan did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Verna Jordan with a finding of misappropriation of patient property and abuse.

The motion was seconded and carried unanimously.

Suzanne M. Bex, C.N.A. 1401-094893

Ms. Bex did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Suzanne Bex.

The motion was seconded and carried unanimously.

Mary E. Cassity-Ray, R.N. 0001-128584

Ms. Cassity-Ray did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Mary Cassity-Ray at this time contingent upon Ms. Cassity-Ray's continued compliance with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

Wendy H. Waugh, L.P.N. 0002-060074

Ms. Waugh did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Wendy Waugh for not less than two years, with said suspension stayed upon receiving evidence that Ms. Waugh has reentered the Health Practitioners Intervention Program and remaining in compliance with all terms with the contract of the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

Vincent Cabrera, R.N. 0001-190490

Mr. Cabrera did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Vincent Cabrera.

The motion was seconded and carried unanimously.

Alexis R. Austin, C.N.A. 1401-022214

Mr. Austin did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Alexis Austin with a finding of abuse.

The motion was seconded and carried unanimously.

Lakisha Singletary, C.N.A. 1401-107332

Ms. Singletary did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Lakisha Singletary.

The motion was seconded and carried unanimously.

Letha Epling, L.P.N. 0002-074575

Ms. Epling did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Letha Epling for not less than two years and until such time as she can provide sufficient evidence that she is safe and competent to practice nursing.

The motion was seconded and carried unanimously.

Candy Lucas, L.P.N. 0002-067937

Ms. Lucas did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Candy Lucas contingent upon her continued compliance with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

Marilyn Pinkley, R.N. 0001-082849

Ms. Pinkley did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate indefinitely suspend the license of Marilyn Pinkley for not less than two years and until such time as she can provide sufficient evidence that she is safe and competent to practice nursing.

The motion was seconded and carried unanimously.

Rosemarie Green, R.N. 0001-164502

Ms. Green did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to accept the voluntary surrender for indefinite suspension of the license of Rosemarie Green until such time as she can provide sufficient evidence that she is safe and competent to resume the practice of nursing.

The motion was seconded and carried unanimously.

Michael S. Addair, R.N. 0001-152616

Mr. Addair did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Michael Addair on probation with terms and conditions for not less than 24 months of actual nursing practice.

The motion was seconded and carried unanimously.

Pauline Perry, R.N. 0001-066254

Ms. Perry did not appear.

Ms. Ponn moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Pauline Perry on indefinite probation with terms and conditions.

The motion was seconded and carried unanimously.

Sandra Minton, L.P.N. 0002-046054

Ms. Minton appeared, accompanied by attorney, Emitt Yeary.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:25 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:35 A.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public

business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Selig moved to accept the recommended decision of the agency subordinate to reprimand Sandra Minton.

The motion was seconded and carried. Ms. Cooper, Ms. Hale, Dr. Hahn, Mr. Horn, Ms. Lindsay, Ms. Piersall and Dr. Selig were in favor of the motion. Ms. Jones-Clarke, Ms. Francisco and Ms. Ponn opposed the motion.

Michelle Adams, R.N. 0001-169119

Ms. Adams appeared.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:40 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:41 A.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to impose no sanction in the matter of Michelle Adams.

The motion was seconded and carried unanimously.

Bonnylin G. Lindquist, R.N. 0001-073897

Ms. Lindquist appeared.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:49 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 10:00 A.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting

requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Mr. Horn moved that the Board of Nursing modify the recommended decision of the agency subordinate to accept the findings of fact and conclusions of law and impose no sanction in the matter of Bonnylin Lindquist.

The motion was seconded and carried. Ms. Jones-Clarke, Ms. Hale, Ms. Francisco, Mr. Horn, Ms. Lindsay and Ms. Ponn were in favor of the motion. Ms. Cooper, Dr. Hahn and Dr. Selig opposed the motion.

Ms. Moore joined the meeting.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:12 A.M., for the purpose of consideration of an agency subordinate recommendations. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis, Ms. Moore and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 12:30 P.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Tonesia Bailey, L.P.N. 0002-071834

Ms. Bailey did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Tonesia Bailey and further order Ms. Bailey provide the Board with verification that she has successfully completed the online National Council of State Boards of Nursing courses “Medication Errors: Detection and Prevention”; “Documentation: A Critical Aspect of Client Care”; and “Professional Accountability and Legal Liability” within 60 days of the date the order is entered.

The motion was seconded and carried unanimously.

Deborah L. Benton, L.P.N. 0002-047368

Ms. Benton did not appear.

Ms. Hale moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand Deborah Benton and indefinitely suspend her license until such time she provides the Board with verification that she completed the National Council of State Boards of Nursing courses “Professional

Accountability and Legal Liability” and “Sharpening Critical Thinking Skills” within 90 days of the entry of the order and pays the Board a \$100.00 monetary penalty.

The motion was seconded and carried unanimously.

Brandi Painter, C.N.A. 1401-110783

Ms. Painter did not appear.

Dr. Selig moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Brandi Painter.

The motion was seconded and carried unanimously.

Alejo Segura, R.N. 0001-203928

Mr. Segura did not appear.

Dr. Selig moved that the Board of Nursing reject the recommended decision of the agency subordinate and refer the matter of Alejo Segura to a formal hearing.

The motion was seconded and carried unanimously.

Katie Spangler, L.P.N. 0002-045975

Ms. Spangler did not appear.

Dr. Selig moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Katie Spangler and to release her from further monitoring.

The motion was seconded and carried unanimously.

Kenneth L. Wright, L.P.N. 0002-047060

Mr. Wright did not appear.

Ms. Cooper moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend his license for not less than two years and until such time as Mr. Wright can demonstrate he is capable of resuming the safe and competent practice of practical nursing.

The motion was seconded and carried unanimously.

Donna Boxley, L.P.N. 0002-068726

Ms. Boxley did not appear.

Dr. Selig moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the license of Donna Boxley until such time as she appears before the Board and demonstrates that she is safe and competent to resume practice.

The motion was seconded and carried unanimously.

Michelle Stafford, R.N. 0001-151717

Ms. Stafford did not appear.

Mr. Horn moved that the Board of Nursing reject the recommended decision of the agency subordinate and dismiss the case in the matter of Michelle Stafford.

The motion was seconded and carried unanimously.

Christina Daniels, R.N. 0001-199124

Ms. Daniels did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Christina Daniels.

The motion was seconded and carried. Ms. Cooper, Ms. Hale, Ms. Francisco, Dr. Hahn, Mr. Horn, Ms. Lindsay, Ms. Piersall, Ms. Ponn and Dr. Selig were in favor of the motion. Ms. Jones-Clarke opposed the motion.

Pamela Lipkins, L.P.N. 0002-052887

Ms. Lipkins did not appear.

Dr. Selig moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Pamela Lipkins and order her to provide the Board with verification that she has successfully completed the National Council of State Boards of Nursing online courses “Sharpening Critical Thinking Skills for Competent Nursing Practice” and “Professional Accountability and Legal Liability” within sixty days of the date the Order is entered.

The motion was seconded and carried unanimously.

Lisa Rickert-Lee, L.P.N. 0002-000010

Ms. Rickert-Lee did not appear.

Dr. Hahn moved that the Board of Nursing accept and modify the recommended decision of the agency subordinate to reprimand Lisa Rickert-Lee and order her to provide the Board with verification that she has successfully completed the National Council of State Boards of Nursing online courses “Medication Errors” and “Professional Accountability and Legal Liability” within sixty days of the date the Order is entered.

The motion was seconded and carried unanimously.

Edjiman Numo, L.P.N. 0002-069268

Mr. Numo did not appear.

Ms. Jones-Clarke moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Edjiman Numo on probation with terms.

The motion was seconded and carried. Ms. Jones-Clarke, Ms. Hale, Ms. Francisco, Dr. Hahn, Mr. Horn, Ms. Lindsay, Ms. Piersall, Ms. Ponn and Dr. Selig were in favor of the motion. Ms. Cooper opposed the motion.

Lynn Brooks, R.N. 0001-126532

Ms. Brooks did not appear.

Ms. Cooper moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the license of Lynn Brooks until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried. Ms. Cooper, Ms. Hale, Ms. Francisco, Dr. Hahn, Mr. Horn, Ms. Piersall and Dr. Selig were in favor of the motion. Ms. Jones-Clarke, Ms. Lindsay and Ms. Ponn opposed the motion.

Tyesha Hill, C.N.A. 1401-115005

Ms. Hill did not appear.

Ms. Cooper moved that the Board of Nursing reject the recommended decision of the agency subordinate and dismiss the case in the matter of Tyesha Hill.

The motion was seconded and carried. Ms. Cooper, Ms. Jones-Clarke, Ms. Hale, Ms. Francisco, Dr. Hahn, Mr. Horn, Ms. Lindsay, Ms. Piersall and Ms. Ponn were in favor of the motion. Dr. Selig opposed the motion.

Andrea D. Wynn, C.N.A. 1401-029158

Ms. Wynn did not appear.

Dr. Selig moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Andrea Wynn.

The motion was seconded and carried. Ms. Cooper, Ms. Hale, Dr. Hahn, Mr. Horn, Ms. Piersall and Dr. Selig were in favor of the motion. Ms. Jones-Clarke, Ms. Francisco, Ms. Lindsay and Ms. Ponn opposed the motion.

Tila A. Newberry-Sorrell, C.N.A. 1401-113376

Ms. Newberry-Sorrell did not appear.

Ms. Piersall moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the license of Newberry-Sorrell until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried. Ms. Jones-Clarke, Ms. Hale, Ms. Francisco, Dr. Hahn, Mr. Horn, Ms. Lindsay, Ms. Piersall, Ms. Ponn and Dr. Selig were in favor of the motion. Ms. Cooper opposed the motion.

Wilma Domingo, R.N. 0001-080355

Ms. Domingo did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Wilma Domingo with said suspension stayed contingent upon her entry into and compliance with a recovery monitoring contract with the Health Practitioners Intervention Program. The motion was seconded and carried unanimously.

Pamela Wynes, R.N. 0001-206381

Ms. Wynes did not appear.

Ms. Jones-Clarke moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Pamela Wynes on probation for one year of actual nursing practice with terms.

The motion was seconded and carried. Ms. Cooper, Ms. Jones-Clarke, Ms. Hale, Ms. Francisco, Dr. Hahn, Mr. Horn, Ms. Lindsay, Ms. Piersall and Dr. Selig were in favor of the motion. Ms. Ponn opposed the motion.

Helene Murphy, R.N. 0001-210971

Ms. Murphy did not appear.

Ms. Jones-Clarke moved that the Board of Nursing accept the recommended decision of the agency subordinate to assess Helene Murphy a monetary penalty of \$200.00 to be paid to the Board within sixty days.

The motion was seconded and carried. Ms. Cooper, Ms. Jones-Clarke, Ms. Hale, Ms. Francisco, Mr. Horn, Ms. Lindsay, Ms. Piersall, Ms. Ponn and Dr. Selig were in favor of the motion. Dr. Hahn opposed the motion.

Debra Walters, R.N. 0001-174290

Ms. Walters did not appear.

Ms. Lindsay moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Debra Walters with said suspension stayed contingent upon Ms. Walters' continued compliance with a recovery monitoring contract with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

DeNotre T. Chase, C.N.A. 1401-062709

Ms. Chase did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand DeNotre Chase.

The motion was seconded and carried. Ms. Jones-Clarke, Ms. Hale, Ms. Francisco, Dr. Hahn, Mr. Horn, Ms. Lindsay, Ms. Piersall, Ms. Ponn and Dr. Selig were in favor of the motion. Ms. Cooper opposed the motion.

Renee D. McClary C.N.A. 1401-096394

Ms. McClary did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Renee McClary.

The motion was seconded and carried unanimously.

Anthony J. Poole, C.N.A. 1401-109479

Mr. Poole did not appear.

Dr. Selig moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Anthony Poole with a finding of abuse.

The motion was seconded and carried unanimously.

Karen M. Bandy, R.N. 0001-135941

Ms. Bandy did not appear.

Ms. Cooper moved that the Board of Nursing amend the recommended findings of fact of the agency subordinate and to accept the conclusions of law and recommended disposition to take no action against Karen Bandy contingent upon her continued compliance with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

Joyce Peacock, L.P.N. 0002-011716

Ms. Peacock did not appear.

Ms. Francisco moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand Joyce Peacock.

The motion was seconded and carried. Ms. Cooper, Ms. Francisco, Mr. Horn, Ms. Piersall, Ms. Ponn and Dr. Selig were in favor of the motion. Ms. Jones-Clarke, Ms. Hale, Dr. Hahn and Ms. Lindsay opposed the motion.

Audrey M. Trow, R.N. 0001-186866

Ms. Trow did not appear.

Ms. Lindsay moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the license of Audrey Trow with said suspension stayed contingent upon verification of Ms. Trow entering into a contract with the Health Practitioners Intervention Program and remaining in compliance with the terms of the contract with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

Renee Kimberly Jones, L.P.N. 0002-043126

Ms. Jones did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Renee Kimberly Jones.

The motion was seconded and carried unanimously.

Marolyn V. Edmonds, R.N. 0001-039083

Ms. Edmonds did not appear.

Ms. Cooper moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Marolyn Edmonds.

The motion was seconded and carried unanimously.

Dr. Saxby and Ms. Ressler joined the meeting.

EDUCATION PROGRAMS:

Education Special Conference Committee:

The Board considered the recommendations of the Education Special Conference Committee from its meeting on January 26, 2009. Mr. Horn moved to adopt the recommendations as submitted. The motion was seconded and approved unanimously.

National Council of State Boards of Nursing NCLEX Spring Review:

Dr. Saxby offered the opportunity for Board members to participate in the NCLEX process during April 2, 2009 through April 13, 2009 to inform her of their interest to participate. Ms. Douglas reminded Board members that if you are scheduled to attend a session that you attend as scheduled as the test center closes to applicants on that date to allow Board members to attend.

ADJOURNMENT:

The meeting was adjourned at 12:45 P.M.

Brenda Hale, R.N.
Secretary

Panel A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:35 P.M. on January 28, 2009 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

BOARD MEMBERS
PRESENT: Brenda Hale, R.N., Chairperson
Joyce A. Hahn, PhD., APRN, NEA- BC
John M. Horn, L.P.N.
G. Maxine Ponn, L.P.N.
Patricia M. Selig, R.N., F.N.P., Ph.D.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director
Donna Lee, Senior Discipline Specialist

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney

ESTABLISHMENT OF
A QUORUM: With five members of the Board present, a quorum was established.

FORMAL HEARINGS
SCHEDULED: **Regina K. Bradley, L.P.N. 0002-074333**
Ms. Bradley did not appear.

Anne Joseph, Deputy Director, Administrative Proceedings Division, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Kathleen Chancey, court reporter, recorded the proceedings.

Helene Anderson-Grant, Case Manager, Health Practitioners Intervention Program was present and testified.

CLOSED MEETING: Ms. Ponn moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:50 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Bradley. Additionally, Ms. Ponn moved that Ms. Douglas, Ms. Mitchell, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 1:55 P.M.

Ms. Ponn moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Hahn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph and that the license of Regina Bradley be suspended for a period of not less than two years.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS
SCHEDULED:

Sean Leggett, R.N. 0001-212071

Mr. Leggett did not appear.

Anne Joseph, Deputy Director, Administrative Proceedings Division, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Kathleen Chancey, court reporter, recorded the proceedings.

CLOSED MEETING:

Ms. Ponn moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:13 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Leggett. Additionally, Ms. Ponn moved that Ms. Douglas, Ms. Mitchell, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:18 P.M.

Ms. Ponn moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Mr. Horn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph, further, based upon such findings of fact and conclusions of law, indefinitely suspend the license of Sean Leggett to practice as a professional nurse for a period of not less than two years.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS
SCHEDULED:

Seneatha K. Gay, R.N. Applicant

Ms. Gay appeared, accompanied by daughter, Lacey France.

Tammie Jones, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Kathleen Chancey, court reporter, recorded the proceedings.

Dr. Selig disclosed she is an employee of Bon Secours, however is not familiar with the respondent and can render a fair deliberation in this matter. There were no objections.

Naima Feller, Senior Investigator, Department of Health Professions; Tom McDermott, Parole Officer; Janet Coughlin, R.N., Supervisor, Bon Secours St. Francis; Bobbie McIntosh, Surgical Tech, Bon Secours St. Francis; Julie Bates, R.N. Virginia Hospital Center, former coworker; and Lacey France were present and testified.

CLOSED MEETING:

Ms. Ponn moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:42 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Gay. Additionally, Ms. Ponn moved that Ms. Douglas, Ms. Mitchell, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 5:12 P.M.

Ms. Ponn moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

Mr. Horn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board. The motion was seconded and carried unanimously.

Ms. Ponn moved that the Board of Nursing approve the application of Seneatha Gay for registered nurse by endorsement and place Ms. Gay on probation with terms for a period of two years. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS
SCHEDULED:

Sara A. Messer, L.P.N. 0002-073299
Ms. Messer did not appear..

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Kathleen Chancey, court reporter, recorded the proceedings.

CLOSED MEETING:

Ms. Ponn moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:40 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Messer. Additionally, Ms.

Ponn moved that Ms. Douglas, Ms. Mitchell, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 5:40 P.M.

Ms. Ponn moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Selig moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and further, move to continue Sara Messer on indefinite suspension for a period of not less than two years.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director

Panel B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:25 P.M. on January 28, 2009 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

BOARD MEMBERS PRESENT: Lynne M. Cooper, Citizen Member, President
Florence Jones-Clarke, R.N., M.S.
Peregrin Francisco, R.N., M.S.A.
Evelyn Lindsay, L.P.N.
Judith E. Piersall, R.N., B.S.N.

STAFF PRESENT: Jodi P. Power, R.N., J.D., Deputy Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Amy Davis, Administrative Assistant

OTHERS PRESENT: Ishneila Moore, Assistant Attorney General

ESTABLISHMENT OF A QUORUM: With five members of the Board present, a quorum was established.

FORMAL HEARINGS SCHEDULED: **Judy A. Jones, C.N.A. 1401-1136678**
Ms. Jones did not appear.

Wendell Roberts, Adjudication Specialist, represented the Commonwealth. Ms. Moore was legal counsel for the Board. Holly Bush, court reporter, recorded the proceedings.

Kelli Moss, Senior Investigator, Department of Health Professions; Delores Suite, Director of Nursing, Woodview Nursing Home; and Lynette McDowell, Administrator, Berryhill Nursing Home were present and testified.

CLOSED MEETING: Ms. Jones-Clarke moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:50 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Jones. Additionally, Ms. Jones-Clarke moved that Ms. Power, Ms. Krohn, Ms. Davis and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:06 P.M.

Ms. Jones-Clarke moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public

business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Roberts and amended by the Board.

The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board revoke the nurse aide certificate of Judy Jones with a finding of abuse.

The motion was seconded and approved unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARING:

Jennifer Rider, L.P.N. Reinstatement Applicant 0002-075141

Ms. Rider appeared, accompanied by Ms. Rogers.

Wendell Roberts, Adjudication Specialist, represented the Commonwealth. Ms. Moore was legal counsel for the Board. Holly Bush court reporter, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions; Christine Grubb, Case Manager, Health Practitioners Intervention Program; and Roberta Rogers, sponsor; were present and testified.

CLOSED MEETING:

Ms. Jones-Clarke moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:14 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Rider.

Additionally, Ms. Jones-Clarke moved that Ms. Power, Ms. Krohn, Ms. Davis and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:48 P.M.

Ms. Jones-Clarke moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Roberts and amended by the Board.

The motion was seconded and carried unanimously.

Ms. Lindsay moved that the Board of Nursing reinstate the license of Jennifer Rider, and further, indefinitely suspend her license, stay said suspension

contingent upon her remaining in compliance with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Board recessed at 3:51 P.M.

RECONVENTION: The Board reconvened at

FORMAL HEARING: **Judy Gill, L.P.N. Reinstatement Applicant 0002-042087**
Ms. Gill appeared, represented by attorney Onzlee Ware.

Wendell Roberts, Adjudication Specialist represented the Commonwealth. Ms. Moore was legal counsel for the Board. Holly Bush court reporter, recorded the proceedings.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:40 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Gill. Additionally, Ms. Lindsay moved that Ms. Power, Ms. Krohn, Ms. Davis and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 5:05 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Roberts and amended by the Board.
The motion was seconded and carried unanimously.

Ms. Francisco moved to reinstate the license of Judy Gill
The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARING: **Kathie A. Adams, L.P.N. Reinstatement Applicant 0002-064163**
Ms. Adams did not appear.

LaRhonda Carter, Adjudication Specialist, represented the Commonwealth. Ms. Moore was legal counsel for the Board. Holly Bush court reporter, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:25 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Adams. Additionally, Ms. Lindsay moved that Ms. Power, Ms. Krohn, Ms. Davis and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 5:45 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Carter and amended by the Board. The motion was seconded and carried unanimously.

Ms. Lindsay moved to deny the reinstatement application of Kathie Adams and continue her license on indefinite suspension until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried. Ms. Lindsay, Ms. Cooper, Ms. Piersall and Ms. Francisco were in favor of the motion. Ms. Jones-Clarke opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT:

The Board adjourned at 5:47 P.M.

Brenda Krohn, R.N., M.S.
Deputy Executive Director